S.B.CRIMINAL MISC. BAIL APPLICATION NO.3752/06

Date : 05.09.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. M.K. Garg for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. V.K. Bhadu for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that allegations against the applicant are frivolous. He submits that complaint has been lodged after 31 years of the marriage against the father-in-law by the complainant. He further submits that allegations are that the applicant has kept gold and silver ornaments which he is not returning and in that regards learned counsel submits that the applicant is not responsible in any way.

On the other hand, learned Public Prosecutor assisted by learned counsel for the complainant submitted that in this case recovery is involved though the applicant is a person of 80 years, he should not be given benefit of anticipatory bail.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I deem it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Murari Lal Dhamija son of Ushnak Rai by I.O./S.H.O. in FIR No.74/2006 P.S. Mahila Thana, Sri Ganganagar, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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